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9
10 UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 SAN JOSE DIVISION

13 JACKIE BLENNIS and DAVID BRICKNER,
14 individually and on behalf of all others similarly
situated,

15 Plaintiffs,

16 v.

17 HEWLETT-PACKARD COMPANY, a
18 California Corporation; and DOES 1 through
250, inclusive,

19 Defendants.

20 CASE NO. C 07 00333-JF

21 **JOINT STIPULATION AND [PROPOSED]
ORDER CONTINUING CASE
MANAGEMENT CONFERENCE;
SUPPORTING DECLARATIONS OF
ALFREDO TORRIJOS AND MICHAEL H.
DORE**

22 **[N.D. Cal. Local Rule 6-1(b) & 6-2]**

23 **[PROPOSED]**
CONFERENCE DATE: March 14, 2008
CONFERENCE TIME: 9:00 a.m.

JOINT STIPULATION

WHEREAS Plaintiffs Jackie Blennis and David Brickner ("Plaintiffs") commenced this action by filing a Complaint on January 17, 2007, and serving the Complaint on Defendant Hewlett-Packard Company ("Defendant") on May 1, 2007;

WHEREAS on November 2, 2007, the Court held a hearing on Defendant's Motion to Dismiss and continued the scheduled case management conference to January 18, 2008 at 10:30 a.m.;

WHEREAS good cause exists for approving this Joint Stipulation, because, as explained in the accompanying declarations of Alfredo Torrijos and Michael H. Dore, continuing these deadlines would further judicial economy by presumably allowing the parties to address the topics specified in the Federal Rules of Civil Procedure and Local Rules subsequent to the Court's ruling on Defendant's Motion to Dismiss, thus enabling the parties to have a better sense of the scope of the case.

ACCORDINGLY, pursuant to Local Rule 6-1(b), the parties, by and through their counsel of record, hereby stipulate to, and request the Court's approval of the following:

1. The Case Management Conference shall be moved from January 18, 2008, to
March 14, 2008, at 9:00 a.m. (or such other date when the Court is available).
 2. All other deadlines remain as scheduled by the Court and/or pursuant to the
Federal Rules of Civil Procedure and/or the Court's Local Rules

IT IS SO STIPULATED.

DATED: January 8 2008

KABATECK BROWN KELLNER LLP
BRIAN S. KABATECK
RICHARD L. KELLNER
ALFREDO TORRIJOS

~~Alfredo Torrijos~~

Attorneys for Plaintiffs JACKIE BLENNIS and DAVID BRICKNER

1 DATED: January __, 2008

GIBSON, DUNN & CRUTCHER LLP
PETER SULLIVAN
SAMUEL G. LIVERSIDGE
MICHAEL H. DORE

4 By: 

5 Michael H. Dore

6 Attorneys for Defendant HEWLETT-PACKARD
7 COMPANY

8

9 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

10 Dated: 1/14/08, 2008

11 
12 The Hon. Jeremy Fogel
13 United States District Judge

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DECLARATION OF MICHAEL H. DORE

I, Michael H. Dore, declare as follows:

1. I am an attorney admitted to practice law before all courts of the State of California and I intend to submit an application to become a member of the bar of this Court. I am an associate in the law firm of Gibson, Dunn & Crutcher LLP, and I am one of the attorneys responsible for the representation of Defendant Hewlett-Packard Company ("HP") in the action entitled *Jackie Blennis and David Brickner, et al. v. Hewlett-Packard Company, et al.* (N.D. Cal. Case No. C 07-00333-RMW). Pursuant to Local Rule 6-2(a), I submit this declaration in support of the parties' Joint Stipulation and [Proposed] Order Continuing Case Management Conference (the "Joint Stipulation"). Unless otherwise stated, the following facts are within my personal knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

2. HP was served with Plaintiff's Complaint in the above-referenced action on May 1, 2007. On November 2, 2007, the Court held a hearing on Defendant's Motion to Dismiss and continued the scheduled case management conference to January 18, 2008 at 10:30 a.m.

3. The Reasons for the Requested Enlargement or Shortening of Time (Local Rule 6-2(a)(1)). I believe that judicial efficiency would best be served by holding the case management conference subsequent to the Court's ruling on Defendant's motion to dismiss, which would allow the parties to have a better sense of the scope of the case when attempting to address the various topics and deadlines raised in the Federal Rules of Civil Procedure and this Court's Local Rules.

4. In addition, Defendant has requested that any rescheduled conference take place in March 2008 because I am scheduled to represent a client in an arbitration in an unrelated matter that is scheduled to take place from February 11, 2008 until February 29, 2008 in Los Angeles, California.

5. Prior Time Modifications in this Case (Local Rule 6-2(a)(2)). Prior to the November 2, 2007 hearing on Defendant's Motion to Dismiss, the parties had requested that the initial case management conference be continued until the date previously set for the hearing on Defendant's Motion to Dismiss (*i.e.*, August 17, 2007). That request was granted.

6. Effect of the Requested Time Modification on the Schedule for the Case (Local Rule 6-2(a)(3)). The requested extensions in the Joint Stipulation would move the scheduled Case Management Conference from January 18, 2008, to March 14, 2008. As a result, this would also alter the following deadlines:

(a) Last day to file Subsequent Case Management Statement per Local Rule 16-10(d):
from January 8 to **March 4, 2008**.

7. At this early stage of the proceeding, it is premature to predict whether the continuance requested by the parties would have any impact on additional pretrial deadlines.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: January 8, 2008

MICHAEL H. DORE

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DECLARATION OF ALFREDO TORRIJOS

I, Alfredo Torrijos, declare as follows:

1. I am an attorney admitted to practice law before all courts of the State of California. I am an associate in the law firm of Kabateck Brown Kellner LLP, and I am one of the attorneys responsible for the representation of Plaintiffs Jackie Blennis and David Brickner ("Plaintiffs") in the action entitled *Jackie Blennis and David Brickner, et al. v. Hewlett-Packard Company, et al.* (N.D. Cal. Case No. C 07-00333-RMW). Pursuant to Local Rule 6-2(a), I submit this declaration in support of the parties' Joint Stipulation and [Proposed] Order Continuing Case Management Conference (the "Joint Stipulation"). Unless otherwise stated, the following facts are within my personal knowledge and, if called and sworn as a witness, I could and would testify competently thereto.

2. Plaintiffs served their Complaint on HP on May 1, 2007. On November 2, 2007, the Court held a hearing on Defendant's Motion to Dismiss and continued the scheduled case management conference to January 18, 2008 at 10:30 a.m.

3. The Reasons for the Requested Enlargement or Shortening of Time (Local Rule 6-2(a)(1)). I believe that judicial efficiency would best be served by holding the case management conference subsequent to the Court's ruling on Defendant's motion to dismiss, which would allow the parties to have a better sense of the scope of the case when attempting to address the various topics and deadlines raised in the Federal Rules of Civil Procedure and this Court's Local Rules.

4. Prior Time Modifications in this Case (Local Rule 6-2(a)(2)). Prior to the November 2, 2007 hearing on Defendant's Motion to Dismiss, the parties had requested that the initial case management conference be continued until the date previously set for the hearing on Defendant's Motion to Dismiss (*i.e.*, August 17, 2007). That request was granted.

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(a) Last day to file Subsequent Case Management Statement per Local Rule 16-10(d): from January 8 to **March 4, 2008**.

6. At this early stage of the proceeding, it is premature to predict whether the continuance requested by the parties would have any impact on additional pretrial deadlines.

I declare under penalty of perjury that the foregoing is true and correct.

DATED: January 2, 2008


ALFREDO TORRIJOS

~~ALFREDO TORRIJOS~~